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BEFORE THE ARIZONA CORPORATION COMMISSION**COMMISSIONERS**

Arizona Corporation Commission

DOCKETED

APR - 7 2011

GARY PIERCE - Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF
A.R.C. NETWORKS, INC. DBA INFOHIGHWAY
FOR APPROVAL TO CANCEL THEIR
CERTIFICATE OF CONVENIENCE AND
NECESSITY.

DOCKET NO. T-04271A-10-0475

DECISION NO. 72242**ORDER**

Open Meeting
March 29 and 30, 2011
Phoenix, Arizona

BY THE COMMISSION:

Having considered the entire record herein and being fully advised in the premises, the Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

FINDINGS OF FACT

1. On February 15, 2005, the Commission issued Decision No. 67580, which granted A.R.C. Networks, Inc. dba InfoHighway ("ARC" or "Company") a Certificate of Convenience and Necessity ("CC&N") to provide resold interexchange telecommunications services in Arizona.

2. On November 23, 2010, ARC filed with the Commission an application stating that ARC intends to discontinue the offering of interexchange telecommunications services within the State of Arizona effective December 31, 2010, and requested that the Commission cancel its CC&N as of that same date. ARC's application further requested the withdrawal of its tariff governing the provision of interexchange telecommunications services within Arizona. The application stated that ARC had no customers or operations in the Arizona, and that it was current with all reports and filings required by the Commission.

3. On November 30, 2010, ARC filed in this docket a copy of an application it filed with the Federal Communications Commission ("FCC") for discontinuance of telecommunications

1 services pursuant to Section 63.71 of the FCC's rules.

2 4. On February 17, 2011, the Commission's Utilities Division ("Staff") filed a Staff
3 Report in this matter recommending approval of ARC's application to cancel its CC&N.

4 5. The Staff Report indicated that Staff confirmed that ARC has no customers for
5 intrastate telecommunications services in Arizona; ARC's last customer left its network in 2008; and
6 ARC collected no advances, deposits, or prepayments from customers in Arizona.

7 6. According to the Commission's Consumer Services Section, zero complaints,
8 inquiries, or opinions were filed against Comcast for the time period January 1, 2007 through January
9 24, 2011.

10 7. The Commission's Compliance Section reports there are no current compliance
11 delinquencies for ARC, and the Company is in good standing with the Corporations Division.

12 8. Staff recommends cancellation of ARC's CC&N to provide resold interexchange
13 telecommunications services. Staff also recommends granting ARC's request to waive the published
14 notice requirements of A.A.C. R-14-2-1107 (A) (2), because the Company is not providing resold
15 interexchange telecommunications services to any customers in Arizona and it never collected any
16 advances, deposits, or prepayments from customers in Arizona.

17 9. Staff's recommendations are reasonable.

18 CONCLUSIONS OF LAW

19 1. A.R.C. Networks, Inc. dba InfoHighway is a public service corporation within the
20 meaning of Article XV of the Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

21 2. The Commission has jurisdiction over A.R.C. Networks, Inc. dba InfoHighway and
22 the subject matter of the application.

23 3. The cancellation of A.R.C. Networks, Inc. dba InfoHighway's CC&N is in the public
24 interest.

25 4. Staff's recommendations are reasonable and should be adopted.

26 ORDER

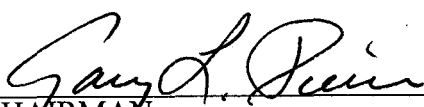
27 IT IS THEREFORE ORDERED that the application of A.R.C. Networks, Inc. dba
28

1 InfoHighway for the cancellation of its Certificate of Convenience and Necessity to provide resold
2 interexchange telecommunications services in Arizona shall be, and is hereby, approved, and the
3 Certificate of Convenience and Necessity is cancelled.

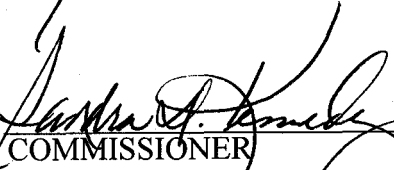
4 IT IS FURTHER ORDERED that A.R.C. Networks, Inc. dba InfoHighway
5 telecommunications services tariff on file with the Commission is hereby cancelled.

6 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

7 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

8
9 
10 CHAIRMAN


COMMISSIONER

11
12 
13 COMMISSIONER


COMMISSIONER


COMMISSIONER

14 IN WITNESS WHEREOF, I, ERNEST G. JOHNSON,
15 Executive Director of the Arizona Corporation Commission,
16 have hereunto set my hand and caused the official seal of the
17 Commission to be affixed at the Capitol, in the City of Phoenix,
18 this 7th day of April, 2011.

19 
20 ERNEST G. JOHNSON
21 EXECUTIVE DIRECTOR

22 DISSENT _____

23
24 DISSENT _____

25 TMJ:db

SERVICE LIST FOR:

A.R.C. NETWORKS, INC. DBA INFOHIGHWAY

DOCKET NO.:

T-04271A-10-0475

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